

COUNCIL COMING ATTRACTIONS



Week of Feb. 27, 2017

**Healthy Vending Machine Standards, Bethesda Downtown Sector Plan, and
CIP Amendments for Transportation Projects**



Council Coming Attractions is a summary of some of the issues before the Council. All Council staff reports and additional information on each item scheduled for Council or Committee review can be viewed at: <http://www.montgomerycountymd.gov/COUNCIL/ondemand/index.html> .

Also the Council meeting schedule may change from time to time. The current Council and Committee agendas can also be viewed at: <http://www.montgomerycountymd.gov/COUNCIL/ondemand/index.html> .

On Feb. 28 the Council session will begin at 1:30 p.m. with two public hearings. At 2 p.m. Councilmember Leventhal will present a proclamation recognizing February as National Children's Dental Health Month.

COUNCIL

Bill 1-17, Contracts and Procurement-Vending Machine Service Contracts-Healthy Vending Standards

The Council is scheduled to hold a public hearing on Bill 1-17. Councilmember Leventhal is the lead sponsor. Council President Berliner and Councilmember Rice are cosponsors. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=136&event_id=5013&meta_id=131990 .

Bill 1-17 would require certain County vending machine service contracts to contain nutritional standards and labeling and product placement requirements. Any vending machine service contract entered into by the County on or after July 1, 2017 would require at least 50 percent of the food and beverage items offered for sale to meet the healthy vending standards established

in the bill. After July 1, 2018, 65 percent of the food and beverage items offered for sale must meet the healthy vending standards. All new vending machine contracts entered into by the County would require:

- all food or beverage items offered for sale to be less than 0.5 grams of trans-fat per serving and no more than 200 milligrams of sodium per package; and
- any beverage offered for sale be less than 250 calories or 20 fluid ounces.



Expedited Bill 2-17, Employees' Retirement System-Retirement Savings Plan-Employees Rights and Benefits-Amendments

The Council is scheduled to hold a public hearing on Expedited Bill 2-17. Council President Berliner is the lead sponsor, at the request of the County Executive. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=136&event_id=5013&meta_id=131992.

Bill 2-17 would amend the Employees' Retirement System (ERS) and the Retirement Savings Plan (RSP) to remain tax qualified under the Internal Revenue Code. Bill 2-17 does not propose substantive changes, and none of these amendments would change any employee's existing benefits or rights under either plan.

- The County submitted ERS and the RSP to the Internal Revenue Service to receive a determination letter that each County retirement plan would remain tax qualified. The IRS has requested several technical changes that require amendments to specific provisions of the ERS and the RSP related to the Internal Revenue Code. The IRS requested that the County amend the plans to:
 - ✓ specify that a non-spousal beneficiary may receive a rollover distribution (if otherwise permitted) (ERS and RSP);
 - ✓ include Internal Revenue Code provisions relating to certain rights provided to employees on military leave (ERS and RSP);
 - ✓ included a definition of "eligible rollover distribution" (ERS);
 - ✓ provide a definition of "limitation year" for purposes of complying with Internal Revenue Code Section 415 (RSP); and
 - ✓ specify that defined contribution plans maintained by the County will be aggregated for purposes of complying with Internal Revenue Code Section 415 (RSP).



Hearing Examiner's Report and Recommendation-Local Map Amendment (LMA) H-115, 3 Sons Avalon LLC

The Council is scheduled to review and vote on the Hearing Examiner's report and recommendation for Local Map Amendment (LMA) H-115, 3 Sons Avalon LLC (Avalon). The property is located at 22821 and 22901 Frederick Road in Clarksburg. On June 1, 2016, the applicant requested reclassification from the R-200 Zone to the TF 5.0 (Townhouse Floating) Zone. The property consists of approximately 10.28 acres. The density planned is 4.87 dwelling units per acre. There is both public support and opposition to Local Map Amendment H-115. Supporters believe that the project would implement the Master Plan's visions for the area and jump start road improvements. Those who oppose the local map amendment object to the proposed density and believe that the development should not occur until infrastructure called for in the Master Plan is built. Adjoining neighbors have raised concerns about screening. The Planning Board and Hearing Examiner recommend approval.

The Hearing Examiner's Report can be viewed at:

[http://www.montgomerycountymd.gov/OZAH/Resources/Files/pdf/2017/H-115%203%20Sons%20Avalon%20Report%20\(Robeson\)FINAL.pdf](http://www.montgomerycountymd.gov/OZAH/Resources/Files/pdf/2017/H-115%203%20Sons%20Avalon%20Report%20(Robeson)FINAL.pdf).

The Council staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=136&event_id=5013&meta_id=132024.

COMMITTEE



Bethesda Downtown Sector Plan

On Feb. 27 at 2 p.m. the Planning, Housing and Economic Development (PHED) Committee will meet to continue its review of the Bethesda Downtown Sector Plan. This meeting with focus on transportation issues. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/Viewer.php?view_id=136&event_id=5264&meta_id=131986 .

The PHED Committee also will hold another meeting on the Bethesda Downtown Sector Plan on March 2 at 2 p.m. The staff report for the March 2 meeting will be available on Feb. 28. The Planning Board's July 2016 Draft Bethesda Downtown Sector Plan can be viewed at:

http://montgomeryplanning.org/wp-content/uploads/2016/12/BDP-Planning-Board-Draft_lowres2.pdf .

A summary of the Planning Board's Draft Plan presentation can be viewed at:

http://www.montgomeryplanning.org/community/bethesda_downtown/documents/BDP_PlanningBoardDraftPresentation_091416.pdf .

Downtown Bethesda is located along Wisconsin Ave. between Friendship Heights and the Capital Beltway, centered on the intersection of Wisconsin Ave., Old Georgetown Rd. and East-West Hwy. The Bethesda Downtown Plan retains the Plan Area boundary of the 1994 Bethesda Central Business District (CBD) Sector Plan, including the areas covered by both the 2006 Woodmont Triangle Amendment and the 2014 Planning Board Draft Bethesda Purple Line Station Minor Master Plan Amendment. The area covers approximately 451 acres and is bounded by the National Institutes of Health campus on the north; Tilbury St., Sleaford Rd., Cheltenham Rd., Capital Crescent Trail, 46th St. and West Ave. on the east; Norwood Park and Nottingham Dr. on the south; and Arlington Rd. and Old Georgetown Rd. on the west.

Some of the goals of the proposed Plan include:

- Coordinating and aligning the Central Business District (CBD), Urban District (UD) and Parking Lot District (PLD) boundaries.
- Preserving and enhancing the community's existing affordable housing throughout the Sector Plan area by leveraging proximity to transit stations and supporting flexible zoning and density incentives and expanded economic programs.
- Making the increased provision for moderately priced dwelling units (MPDUs) from 12.5 percent to 15 percent a priority amenity in all optional method projects.
- Consolidating retail in appropriate places within the Sector Plan area through designated retail centers or nodes.
- Strengthening the centers of activity through economic, social and environmental aspects of sustainability.
- Encouraging mixed-use development to allow development to adapt to market conditions.
- Creating new civic gathering spaces in the expanded centers of activity.



CIP Amendments for Transportation Projects

On March 2 at 9:30 a.m. the Transportation and Environment (T&E) Committee will review CIP Amendments for transportation projects. The staff report will be available on Feb. 28. Some of the CIP amendments that will be reviewed by the Committee include: \$7 million more for repairs to three bridges; accelerating \$2 million from FY19 to FY18 for residential road resurfacing; \$14.8 million to replace the aging computer-aided dispatch/automatic vehicle locator system; and proposed delays to seven bikeway and road projects by one to two years.